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Appl. No.: 10/031,887

Amdt. Dated November 3, 2006

Response to Office Action Mailed September 6, 2006

REMARKS:

Applicant appreciates the time and care the examiner has taken in examining the application. In making the amendments above, the claims remain supported by the specification and no new matter has been added.

Amended independent claims 1 and 12 recite that the data processing means on the transmission side has a program capable of automatically checking the database, of automatically preparing e-mail, and of automatically transmitting the e-mail to one or more predetermined destination medical information processing apparatuses, based on a predetermined setting condition, and that the program is configured to automatically attach new patient information in the database and a patient ID in the information to the e-mail.

Teagarden (US 6,694,298) discloses a software-based medical information system which performs some steps such as to obtain the customer specific parameters, to update the system options and parameters using the customer specifications (col. 2, lines 39-05). The system of Teagarden also includes some operations such as collecting the information provided by the patients from the "Record of Medications", drilling down for more clinical and life-style information in Step S56, obtaining the names and phone numbers of the primary doctor and other prescribers, probing into the patient's disease states, asking about their satisfaction with the program, asking for permission to call the patient's prescribers, assessing the information available and preparing a medication profile and a list of suggestions to be transmitted via, for example, facsimile, to the patient's primary doctor. As mentioned above, the system of Teagarden requires at least a response of the patient, that is to say, these operations are not automatically performed.

The software-based medical information system of Teagarden has also the feature described at col. 17, lines 5-11 as follows:

In Step S48, pre-call planning is performed. Patient demographics and claims dating back to a predetermined date, other patient health related information, as well as information available about the patient's current prescribers, such as specialty and previously expressed desire not to be contacted on certain managed care programs, are retrieved and reviewed in Step S50.

In contrast, in the instant invention as set forth in claims 1 and 12 herein, the predetermined setting condition which is set in the program is to perform automatically and continuously the steps of checking the database, of preparing e-mail, and of transmitting the e-mail to one or more predetermined destination medical information processing apparatuses. This is because the condition sometimes is required to be suitably selected when the volume of the data obtained is large; for example, when an ophthalmologic examination yields image data having high resolution.

Moreover, Teagarden fails to teach a program which is configured to automatically attach new patient information in the database and a patient ID in the information to the e-mail. The feature helps to perform these operations without mistakes.

Consequently, the above-mentioned features set forth in the independent claims yields the advantage as set forth in the original specification (p. 6, lines 6-17):

Hence, in the case where the image data, the accompanying patient data and the like are to be shared or copied among a plurality of ophthalmologic image information systems by use of a network such as the Internet connected through a telephone line, an operation, in which an operator him/herself calls out such information from the database and prepares and transmits e-mail having the information attached hereto at each sharing and copying, becomes unnecessary. This prevents occurrence of the problems such as a mistake in designating the destination or the information to be attached to the e-mail, enables necessary new information to be transmitted to the destinations simply, automatically and

securely without an error, and enables update of the information (data) in the database of the destinations.

The features in the independent claims 1 and 12 providing these advantages have now been more clearly defined, and dependent claims 16, 17, 18, 20, and 22 have been amended to avoid duplication.

For these reasons, the final rejections are respectfully traversed, and it is requested that the rejections be reconsidered and withdrawn. It is respectfully submitted that the application is in condition for prompt allowance and that all of the objections, rejections and requirements raised in the Office action have been met. Early, favorable treatment of this application is requested.

The Commissioner is hereby authorized to charge any fees associated with this communication, including any required fees under 37 CFR § 1.17(a) for any necessary extensions of time under 37 CFR §1.136(a), which are hereby requested, to our Deposit Account No. 50-0305. The Examiner is encouraged to call Robert J. Schneider at the direct number (312) 845-3919 with any questions that arise in connection with this application, or to resolve any remaining issues.

Respectfully submitted,



Jane S. Berman, Reg. No. 43,494

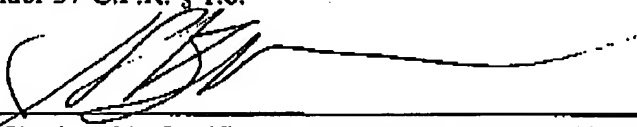
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I hereby certify that the attached correspondence, namely: Response to Final Office Action, was transmitted by facsimile on the date listed above, to the U.S. Patent Office at the facsimile number listed above, under 37 C.F.R. § 1.8.

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Typed Name of Person Signing this Certificate: Jane S. Berman, Reg. No. 43,494

Date of Signature: November 3, 2006